IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 16507 of 2004

Between:

M. Laxmanna, s/o Sunkanna,
Naraduppala Village, Gonegandla Mandal, Kurnool District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Adoni, Kurnool.
2 The Joint Collector, Kurnool.
3 The Mandal Revenue Officer, Gonegandla (M), Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of the 1st respondent passed in Rc.M.638/2004, dt.27-7-2004 as illegal, arbitrary and against the provisions of APSCD (RDCS) order 1973 grant such other relief.

Counsel for the Petitioner: MR.G.VEERA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.16507 OF 2004

ORDER:

Petitioner is an authorized dealer of the Fair Price Shop of Naraduppala Village, Gonegandla Mandal, Kurnool District. His authorization has been suspended by the Revenue Divisional Officer, pending enquiry into the alleged irregularities in distribution of the essential commodities, by an order dated 27-07-2004, which is under challenge in this writ petition.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

3. Against the impugned order of suspension, an alternative remedy is available under the statute by way of an appeal to the Joint Collector. Admittedly, the petitioner has already availed the said remedy, and the appeal along with an application for stay are pending before the second respondent.

4. In the circumstances, though the learned counsel for the petitioner raised various grounds contending that the allegations made against the petitioner are false and without any basis, I am not inclined to express any opinion on merits. Instead I deem it appropriate to dispose of the writ petition with a direction to the second respondent to dispose of the application for stay in the appeal filed by the petitioner against the order of the Revenue Divisional Officer dated 27-07-2004, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition is disposed of. No

costs.

MS.G.ROHINI, J

15th September, 2004

SKM

To

1 The Revenue Divisional Officer, Adoni, Kurnool.
2 The Joint Collector, Kurnool.
3 The Mandal Revenue Officer, Gonegandla (M), Kurnool District.

4 Two C.Cs. to G.P. for Civil Supplies,

High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

5 Two C.D. copies.